

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR SYSTEMS INC.)
and ABBOTT LABORATORIES INC.,)
Plaintiffs,) Civil Action No. 98-80 (SLR)
v.) (Consolidated with C.A. No. 98-314
MEDTRONIC VASCULAR, INC. and) (SLR) and C.A. No. 98-316 (SLR)
MEDTRONIC USA, INC.,)
Defendants.)
)

REDACTED - PUBLIC VERSION

**AFFIDAVIT OF ANNE SHEA GAZA IN SUPPORT OF ABBOTT'S REPLY IN
SUPPORT OF ITS MOTION FOR A PERMANENT INJUNCTION**

STATE OF DELAWARE)
) SS.
COUNTY OF NEW CASTLE)

I, Anne Shea Gaza, do hereby declare and state that I am over 21 years of age and, except as otherwise stated herein, I make this Affidavit of my own personal knowledge and am competent to testify about the matters set forth herein. I am an attorney with the law firm of Richards, Layton & Finger, counsel representing Plaintiffs in the above-captioned action. I am admitted to practice before this Court. This Affidavit is submitted in support of Abbott's Reply In Support of Its Motion for a Permanent Injunction. Attached to this Affidavit are true and correct copies of the following exhibits::

<u>Tab</u>	<u>Exhibit</u>
24	Excerpt from Deposition of David C. Pacitti, dated September 29, 2007
25	Excerpt from Deposition of Dr. David L. Pearle, dated November 13, 2007

<u>Tab</u>	<u>Exhibit</u>
26	Excerpt from Deposition of Adria A. Spano, dated October 23, 2007
27	<i>Advanced Cardiovascular Systems, Inc. v. Medtronic Vascular, Inc.</i> , No. 2007-1365 (Fed. Cir. Aug. 1, 2007)
28	Sketch et al., "Evaluation of the Medtronic (Driver) Cobalt-Chromium Alloy Coronary Stent System," American Journal of Cardiology, 95:8-12, 2005
29	Excerpt from Deposition of Rodney S. Badger, M.D., F.A.C.C., dated November 14, 2007
30	Exhibit 2 to Deposition of Dr. David L. Pearle, dated November 13, 2007 (presentation from 2003 TCT conference; available on TCT website)
31	Excerpt from Expert Report of Sharon Oster, Ph.D., dated June 18, 2004
32	Letter from A. Vance to K. Louden, dated June 6, 2007
33	Medtronic News Release, dated March 28, 2006
34	Reuters article, dated January 4, 2007

Dated: November 21, 2007

Anne Shea Gaza
Anne Shea Gaza (#4093)
Richards, Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

Sworn to and subscribed before me
this 21st day of November 2007.

Patricianne Stewart
Notary Public

PATRICIANNE B. STEWART
Notary Public - State of Delaware
My Comm. Expires Aug. 8, 2009

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2007, I caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Karen Jacobs Louden, Esquire
Morris, Nichols, Arsh & Tunnell
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I hereby certify that on November 30, 2007, I have sent by Federal Express the foregoing document to the following non-registered participants:

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